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# 'Missing': Oscar nominee and target of a libel suit

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Last week the powerful motion picture "Missing," Hollywood's most significant political production of 1982, was nominated for an Oscar as best movie of the year.

Based on Thomas Hauser's book, "The Execution of Charles Horman: An American Sacrifice," "Missing" depicts the true story of the disappearance and death of a U.S. citizen in the aftermath of the bloody Sept. 11, 1973, military coup in Chile, and the efforts of his father and wife to find out what happened to him. For thousands of movie-goers previously unaware of the U.S. intervention that contributed to the coup the movie exposes the Nixon administration's complicity in Chile's national tragedy, as well as the role of the U.S. government in the personal tragedy of the Horman family.

But now three former officials of the U.S. Embassy in Santiago have brought a \$150 million libel suit against the film's director—Konstantinos Costa Gavras—Universal Studios and Hauser. Former Ambassador Nathaniel Davis, Consul Frederick Purdy, and head of the U.S. military mission in Chile, Captain Ray Davis, contend that allegations of U.S. government responsibility for Horman's death, and/or coverup of his murder, are "false, unfair, inaccurate and defamatory."

The Horman family has responded with a press statement that reads in part: "The film 'Missing' has raised issues about American foreign policy which deserve the gravest consideration. . . . We consider this libel action an effort to intimidate the film industry from bringing controversial subjects before the American public."

Charles Horman was the first U.S. citizen to be murdered by the Pinochet regime. Evidence obtained through the Freedom of Information Act, and uncovered by the family and by author Hauser during a lengthy investigation, strongly suggests that Horman was targeted because he had learned of U.S. involvement in the coup and that U.S. personnel may have had foreknowledge of his execution. Horman's father, Edmund, who has spent almost 10 years trying to uncover the details of his son's death, is convinced that Charles's life "was sacrificed to cover up American actions in Chile."

According to the Hauser book, on Sept. 11, 1973, Charles Horman was, by coincidence, in Vina del Mar where the coup was initiated. At the Miramar Hotel, where a number of U.S. military personnel were staying, Horman met a Naval "engineer" named Arthur Creter (Babcock in the movie) who told him, "We came down to do a job and it's done."

Horman also met, and was aided by, U.S. officials later shown to be on intimate terms with the Chilean coup plotters. The U.S. naval attache, Lt. Col. Patrick Ryan (Sean Patrick in the film) cabled his superiors after the coup that "our D-day started with a foreboding 0630 hammering on the front door by Ignacio Martinez, a retired Marine officer and a very close friend. . . one of the key local planners in the coup d'etat. . . . Ignacio recommended all U.S. personnel stay undercover, asked for our prayers and then rushed off to carry out his duties."

Ryan arranged for Horman and his traveling companion, Terri Simon, to be driven back to Santiago by Captain Ray Davis on Sept. 15, 1973.

On Sept. 17, Horman was dragged from his home and taken to the National Stadium where the new military regime was processing, and executing, hundreds of prisoners. According to Hauser, Horman was apparently a special case; he was taken to the Defense Ministry. According to a Chilean intelligence officer who was at the ministry, a U.S. citizen was present at Charles's interrogation. The decision was made, Rafael Gonzalez later testified, that Horman "knew too much" and had to "disappear." "And this was done between the CIA and the local authorities," Gonzalez says.

When Hauser published these startling revelations in 1978, his book received no official attention. But when "Missing" was released last year with its potential to inform thousands of people, the State Department was quick to react. It released a 3-page memorandum to the press stating that U.S. efforts to locate Horman were "intensive and comprehensive." The State Department

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